

TOWN OF UNDERHILL
SELECTBOARD REGULAR MEETING MINUTES
Underhill Town Hall – Remote Meeting
Tuesday, July 7, 2020, 4:00 p.m.

Selectboard: Dan Steinbauer, Bob Stone, Peter Duval

Town Staff: Brad Holden, Sherri Morin, Laurie Graham, Jennifer Silpe-Katz

Committee Members: Kurt Johnson

Public: MMCTV, Bridget Stone-Allard, Elizabeth Murray BFP, Arnold Thomas, Ben Butler

4:00 p.m. Call Selectboard Meeting to Order Dan Steinbauer calls the remote meeting to order. Meeting is recorded by MMCTV.

4:01 p.m. Public Comment None

4:02 p.m. Adjustments to Agenda: Bob Stone adds Fuller Road project conclusion, drain holes on Stevensville Rd. bridge, Mountain Road grating and Andy Forsberg training opportunity to be trained on the grater to the agenda.

4:06 p.m. Racial Justice

Dan Steinbauer introduces the on-going conversation suggests rather than talking about the paint on the roads itself, it is important to talk about the issues behind the paint.

Peter Duval asks what things does the town do that reinforce racism or have an uneven effect. Make Underhill a place where we are working hard to be fair. Peter Duval suggests no traffic stops, and to look at inequities in transportation. He is looking to hear about where the town could make improvements.

Bridget Stone-Allard of Irish Settlement Rd. introduces themselves as a mom of a young man who is a person of color in Underhill. There has been growth in the area of racial issues in Underhill. Teachers are trying to do their best but not aware of microaggressions in class and how to help kids understand racism in a place that is predominantly white. Bridget Stone-Allard mentions that Underhill has great intentions, just a matter of education and buy-in to the issue.

Kurt Johnson discusses an article he read that said, you can't say you're not racist, unless you are promoting anti-racism. If you are sitting on the sideline, you aren't supporting the cause, rather than getting involved and doing something to help the situation.

Arnold Thomas moved to Underhill because they were attracted to the way of life, community and sense of awareness and environmental responsibility. When it comes to racial sensitivity, Vermont had progressive ideas but lacked the multi-racial and multi-cultural dimension- it is growing in the cities but in the more rural areas where people of color are growing up, going to school, in a predominantly white setting feel isolated. Well-intentioned white folk are ill-equipped to address race relations and issues multicultural tolerance and lack

the kind of inclusive environment to be comfortable addressing these issues. As a person of color, Arnold Thomas doesn't want to feel as though he is speaking for the entire race, but does feel shared experience.

Arnold Thomas discusses Underhill can become more racially inclusive residents need to intentionally, proactively engage in forums and communities where dialogue and interaction can take place realizing there is a degree of discomfort to overcome by that involvement. The Good Shepherd Church has developed forums to address these issues July 19, August 2, 16 and 30 at 9am. They will also be broadcast on MMCTV. July 19th speakers will be republican state senator Randy Brock and democratic state house representative Kevin Christie.

Arnold Thomas also mentions the Vermont Racial Justice Alliance is a people of color-led organization where they can address concern in the larger community- one issue being reparations. People often consider reparations as pay-back that whites have to direct towards black americans as centuries of slavery and segregation but actually reparations is conversations for everyone to enter into to repair and engage in meaningful conversations. Many Vermonters know very little about their history as it involves people of color, indigineous people, black Vemonters because our history has not been written through the eyes of these groups. As we learn more about the history we will become more sensitive to our past and more informed about proceeding in the future. Arnold Thomas mentions that Vermont was not a slave-free state and mentions the Stopping Stones Project. Arnold Thomas mentions important conversations that bring us to an awareness of where we came, where we are and where we can go from here.

Peter Duval is interested in hearing about what actions the selectboard can take; mentions our own police defunding by ending the traffic stops, meeting procedures are exceeding requirements and how they are run. Subtle things in government can keep people in power or excluded. Peter Duval would like Pat Lamphere's view of abenaki experience.

4:33 p.m. COVID-19 update

Peter Duval has found one person who is interested in giving guidance on marketing and campaigns, but doesn't feel we need a specific coordinator to get started. Funds available through the state to buy mask buffs, planning for washing and hygiene stations at public places, stock pile of face coverings. Sherri Morin has purchased an infrared hand sanitizing station for the Town Hall, has 300 extra masks, gloves and the state has supplied hand sanitizer for the upcoming election.

Dan Steinbauer has noticed mask compliance locally and mentions this discussion is on-going and gives an opportunity for the public to speak on this issue.

4:44 p.m. Kurt Johnson Highway Project Updates: Crack Sealing Bid, Irish Settlement Road, Irish Settlement Road, Poker Hill Road, loan options w/ Sherri Morin

Crack Sealing Bid In the past, Underhill has worked with both Fresh Coat and Nicom. The town has budgeted around \$20,000 for crack sealing. This project is important because when you pave a road, shortly after seeing cracks form should be crack sealed to avoid getting down through it and causing damage to the underlying road bed. Once it is too severe, crack sealing is very expensive and resurfacing would be the best option. Kurt Johnson mentions many paved roads in town are not being kept-up as we would like due to cost, and they should be resurfaced. Focus will be on recently paved surfaces to keep them up. Crack sealing should take place

on Pleasant Valley between 443 back to the center of town near Lap Run and if there is extra time Kurt Johnson also suggests sealing of River Road. additional could be help. Many side roads are beyond the point where you can fix with crack sealing at a reasonable cost. The cost is \$20,000 for one week of work.

Add to Agenda for August 4: RPC and VHB share study on River Road road bed.

Jennifer Silpe-Katz town finance officer discusses uncertainty about receiving grants for paving we had hoped to do for fiscal year 2021 and asks if any inventories of the roadways; since those roadways may not be repaved this year, should they consider crack sealing them? Brad Holden confirms the State received this grant proposal for paving and structures study, but has not heard back. Discussion about the highway budget \$380,400 passed at Town Meeting ensues and it is noted that crack sealing falls under Pavement Repair and Retreatment. Discussion continues about paving North Underhill Station next year and following the CIP. Kurt Johnson is not sure if it makes sense financial to crack seal roads that will be paved in the next couple of years.

Dan Steinbauer moves to use the prepared bid document and put out the invitation to bid. Bob Stone seconds. Discussion on the motion ensues as Bob Stone asks if it is worth considering a multi-year deal when we put out the bid next year. Kurt Johnson will ask the companies if there is an advantage for multi-year work. Motion passes with a vote of 3-0.

CIP documents will be reviewed and a meeting may be scheduled.

Irish Settlement Road Project This job was completed early. Some work for road crew will include ditching in the section of the spring. Small flow of water in the center of road has been fixed by digging down an additional 2 feet, based on engineer, Nate Sullivan and Tatro, and adding a ditch.

Peter Duval notices a few areas of erosion on the side of Irish Settlement and presents photos of the areas. Kurt Johnson discusses that Nate Sullivan will grade and apply more calcium chloride this week.

Nikita Salmon's disposal site cost was less than anticipated and came out to 13 days, 6 hours per day at \$125/hr and splitting the cost for a total of \$4,875. Kurt Johnson will contact Nikita Salmon about providing the town with a W-9 and Certificate of Insurance as a subcontractor.

The total project should come in about \$5,000-10,000 below expected.

Bob Stone considers the town road crew completing the work of trees and ditching vs. having paid Tatro. Due to the road crew's busy schedule and coming in under budget Bob suggests that Tatro could probably do some of the work to free up the town road crew. Kurt Johnson will talk with Nate Sullivan to get his opinion.

Poker Hill Road Dirt Tech continues the last sections and will revisit and improve some sections; they started at 196 and will be working towards the top of the hill by the end of next week. Delivery of road bed material has been going to Downes Road but Dirt Tech has moved south and now the material from near the cemetery will go to Dave Davis' property at no cost. Downes Road still needs 500-600ft of rebuilding material. For 2 trucks per day to go to Downes Road Dirt Tech will charge \$700/day; Kurt Johnson is expecting it would be 2

to 3 days for a total of \$1,400-2,100. Kurt Johnson notes that Downes Road is a class 4 road and the town mindset is not to put money into class four roads unless it is a failed culvert/roadbed in need of attention. Kurt Johnson does believe that this is a good price and project for this road and asks the selectboard for their opinion.

Dan Steinbauer notes that he feels better the gravel removed from the road, is going to roads, even if they are Class 4, rather than to a fill site and connects to improvements on Butler and Fuller Road.

Bob Stone notes a conversation with the road crew and notes that the material coming out of Poker Hill was good quality and there should be a place to stockpile the material. Bob Stone asks if there is a place to stockpile, or may want to consider this option in the future. Kurt Johnson replies about a possible place to stockpile material off English Settlement/Poker Hill but is not sure this material would be reused on a Class 3 Road but is better than what might be on a Class 4 road. Kurt Johnson does not believe there is a contract with Dave Davis about a certain amount of material going to his property but does know Davis has rented a bulldozer.

Bob Stone suggests using the cost-free location and open it up to Downes Road landowners to pay Dirt Tech if they wanted the rest of the material. Use of fill at Davis site is filling in an area behind the building for level ground.

Ben Butler of Downes Road notes that they have been given road material and describes how the road shares the cost of maintaining their road.

Discussion continues that Dirt Tech material that was close to Downes Road was brought down to the Davis property because a driver was not able to back up the stretch of Downes Road. A Dirt Tech truck hit a shed on the Davis property when about 12 loads were delivered.

Bob Stone motions to incur expense to finish the project on Downes Road. Dan Steinbauer seconds the motion. Discussion continues that Bob Stone notes that, in fairness, we should have used materials closest to Downes Road more efficiently. Kurt Johnson notes that the idea for bringing material to Class 4 roads was added after contracts were in place. Peter Duval asks about private waste sites and asks if they needed review from DRB and PC; Kurt Johnson responds by revisiting the Nikita Salmon site that was approved by engineering for environmental reasons. Dan Steinbauer mentions Dirt Tech travelled further when they didn't have the driving ability to drop it on Downes Road. Motion is passed by a vote of 3-0.

Loan Options with Sherri Morin Town staff, Jennifer Silpe-Katz, Brad Holden, Sherri Morrin and Andrew Stnrste, met to talk about concerns about COVID-19 and uncertainty. Jennifer Silpe-Katz speaks on behalf of the group and feels that they are hired to look out for the best interest of the town. The residents voted at Town Meeting to allow the town to borrow \$750,000 for road construction projects and the town staff is concerned about borrowing this amount due to uncertainty. Considering the idea of borrowing less and using more reserves so that the Town has the borrowing power if there is an event and they don't get the tax money that they were expecting. They would like to revisit the CIP program for future projects. If the town borrows less initially, it does not eliminate the ability to borrow more in the spring. Sherri Morin got information on two loans, one at 750 and one at 500 and believes in the importance of borrowing less, slowing new projects and revisiting after the first of the year.

Dan Steinbauer, Brad Holden and Kurt Johnson discuss that the Irish Settlement and Poker Hill could be covered by all of the reserves. The 500 loan would get through Corbett Rd. project and allow for money on reserve.

Jennifer Silpe-Katz and Kurt Johnson would like to meet with the Town Staff and Highway Committee to look at exact figures and present it to the Selectboard at the next meeting. Annual payment between the two loans is \$20,000 different per year between the 500 and 750 loans.

Bob Stone motions to approve to borrow the \$500,000. Dan Steinbauer seconds. Discussion continues that Dan Steinbauer would like the staff and highway committee present at the next Selectboard meeting. Bob Stone believes this conversation should have occurred before this Selectboard meeting and would like Nate Sullivan involved in the meeting with Town Staff and Kurt Johnson. Peter Duval would like more of a write-up for these large monetary decisions especially since it was presented in Town Meeting; mentions concerns about only looking at one vendor and would like more information on the terms of the loans. Peter Duval is not sure if working from reserves is the best plan and would like to see spending priorities rather than borrowing priorities and requests more information on why borrowing less is preferable. Bob Stone and Dan Steinbauer withdraw their motion and second for future discussion at the next meeting.

Brad Holden received a letter from Randy Clark with North Underhill Cemetery Association expressing thanks for the Poker Hill Project to Kurt Johnson.

6:05 p.m. Old Business: Dumas Road FEMA Buyout - Roaring Brook Flooding

Brad Holden received a letter from Dan Albrecht with the RPC and the All-Hazard Mitigation Plan is beginning to ramp back up; this committee deals with hazard mitigation funds. Brad Holden would like to join the Hazard Mitigation Committee and participate in their meetings and continue working on the Dumas Road project. Deadline for the buyout is November. Patty Gray is the applicant, the town is the co-applicant. Brad Holden's goal is to get the application in by the end of the month, but the deadline is November. There is no fee for joining the Hazard Mitigation Committee, members from each town work on the hazard mitigation plan.

Peter Duval moves to appoint Brad Holden to the Chittenden County All-Hazard Mitigation Plan Update Committee. Bob Stone seconds. Motions passes 3-0.

6:13 p.m. New Business: Chittenden County Sheriff's 2021 Contract, 2020 Year End Audit – Peisch Contract, Underhill Landfill Groundwater Sampling Results.

Chittenden County Sheriff's 2021 Contract Sheriff's hourly charge has gone from 51 to 56 per hour. Appendix A of the contract shows a start and end date and hours per week. Bob Stone moves to table the contract until after speaking with Pat Sablis about creating an ordinance where any traffic citations issued on a state highways would come back to the town at a greater percentage than using state rather than local ordinance. Dan Steinbauer seconds. Discussion ensues as Peter Duval connects this issue to anti-racism and supports tabling to consider spending money on other safety measures. Sheriff's contract is tabled by a vote of 3-0.

Peisch Contract CPA Advisors for yearly audit. Brad Holden discusses that Peisch has been doing impressive audits for the town since 2010; the memorandum is provided to complete the audit for fiscal year 2020. Dan Steinbauer moves to accept the CPA memorandum. Bob Stone seconds. Memorandum is approved by a vote of 3-0.

Underhill Landfill Groundwater Sampling Results Due to COVID-19, the mandatory testing for landfill site deadline was pushed back. Ross Environmental Associates testing report is presented to the selectboard. REA reported to the Vermont Department of Environmental Conservation and the Waste Management Conservation Division and included all information about the monitor wells, draining, gas control, vegetation cover and reported that all are in good condition, giving a favorable report. Discussion continues about low values vs. exceeding elements; Peter Duval asks about differences in groundwater enforcement standards. Dan Steinbauer asks about contacting DEC about the two exceeding elements. Brad Holden will forward the letter from REA and DEC and will follow-up and provide an update at the next meeting.

6:27 p.m. New Agenda Items Will be postponed and discussed at the next meeting.

6:28 p.m. Warrants and Minutes: Review/Approve Current Warrants and the Selectboard Minutes of the June 18, 19, and 25 Meetings.

Bob Stone motions to approve the warrants. Peter Duval seconds. Bob Stone discusses an invoice for Dean and his services this month, Dan Steinbauer sent an email to Jennifer Silpe-Katz for this. Brad Holden will check on the contract and be in touch with Dean. Peter Duval notes Stitzel Page & Fletcher cost of \$13,000 for legal expenses; Brad Holden notes they do receive an itemized bill and review the hours that they bill for. Warrants pass by a vote of 3-0.

Dan Steinbauer motions to approve minutes for June 18, 2020 Regular Meeting of the Selectboard, Bob Stone seconds and the motion is passed by a vote of 3-0.

Dan Steinbauer motions to approve minutes for June 19, 2020 Special Meeting of the Selectboard, Peter Duval seconds and the motion is passed by a vote of 3-0.

Dan Steinbauer motions to approve minutes for June 25, 2020 Special Meeting of the Selectboard, Bob Stone seconds and the motion is passed by a vote of 3-0.

6:39 p.m. Member Items, Correspondence, Announcements, Schedule,

The next regularly scheduled Selectboard meeting will be Thursday, July 23, 2020 at 6:00 p.m.

Bob Stone notes that he would like to recognize and send a note from the Selectboard to the individuals involved with the tire roundup. Brad Holden worked hard on the tire roundup and Bob Stone has heard nothing but positive feedback. John Connely also helped. Brad Holden praises Gauthier's for accommodations with the dumpsters and that they helped load the final dumpster.

All contracts are in place and no executive session is needed during this meeting.

6:41 p.m. Adjournment Peter Duval moves to adjourn. Dan Steinbauer seconds. Meeting is adjourned by a vote of 3-0.

Submitted by Laurie Graham, Record Keeper.

Read and approved as submitted/amended:



Dan Steinbauer, Chair

7/28/2020

7/23/2020 Approved

Date